

Applicants:

Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub

Application No.:

09/525,142

Group:

1631

Filed:

March 14, 2000

Examiner:

S. Zhou

Confirmation No.:

8330

For:

Methods and Apparatus for Analyzing Gene Expression Data

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box

2327, Arlington, VA 22202

Date

Signature

Typed or printed name of person signing certificate

REQUEST FOR CORRECTION/AMENDMENT OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Assistant Commissioner for Patents P.O. Box 2327 Arlington, VA 22202

Sir:

Applicants request that the inventorship be corrected and the above-captioned application, including page 1 of the specification, be amended to add Donna K. Slonim as an inventor. With such amendment, Pablo Tamayo, Jill P. Mesirov, Eric S. Lander, Todd R. Golub and Donna K. Slonim are the joint inventors of the subject application.

Enclosed herewith are the following documents: Statement under 37 CFR §1.48(a)(2) by Donna K. Slonim; an executed Declaration by the actual inventors as required by §1.63; Written Consent of the Assignee (Whitehead Institute for Biomedical Research) to the inventorship change with Statement under §3.73(b); Written Consent of the Assignee (Dana-Farber Cancer

Institute, Inc.) to the inventorship change with Statement under §3.73(b); and a check in the amount of \$130 in payment of the processing fee as set forth in §1.17(i).

-2-

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Ortonetto S. Sughowo
Antoinette G. Giugliano

Registration No.: 42,582 Telephone: (978) 341-0036 Facsimile: (978) 341-0136

Concord, MA 01742-9133

Date: 1/20/03

JAN 2 7 2003 [ECH CENTER 1600/2900



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub

Application No.:

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on 1/20/03

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STATEMENT UNDER 37 C.F.R. § 1.48(a)(2) by Donna K. Slonim

Assistant Commissioner for Patents P.O. Box 2327 Arlington, VA 22202

Sir:

I, Donna K. Slonim, 50 Craigie St., Apt. 27, Somerville, MA 02143, hereby state that I am a co-inventor with Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub of the subject matter claimed in the above-captioned application as filed. The error of omitting my name as a co-inventor occurred without deceptive intention on my part.

Name

Donna K. Slonim

Date

PATENT APPLICATION

Docket No.: 2825.1014-001

i@PFDcsktop\::ODMA/MHODMA/IMANAGE;359295;1 Minwaggas 3

MI.W/AGG/cad

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub

Application No.:

09/525,142

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1631

Filed:

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Examiner:

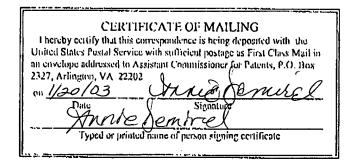
S. Zhou

Confirmation No.:

8330

For:

Methods and Apparatus for Analyzing Gene Expression Data



WRITTEN CONSENT OF ASSIGNEE IN CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)(5)

Assistant Commissioner for Patents P.O. Box 2327
Arlington, VA 22202

Sic:

Whitehead Institute for Biomedical Research, along with Dana-Farber Cancer Institute, Inc., are the assignees of the entire right, title and interest in the referenced patent application and Whitehead Institute for Biomedical Research does hereby consent to the addition of Donna K. Slonim as an inventor in the application.

A Statement under 37 C.F.R. § 3.73(b) is being filed concurrently with this Written Consent.

Respectfully submitted,

Patricia Granahan

Patent Counsel

Whitehead Institute of Biomedical Research

Cambridge, MA 02142

Date: January 8, 2003

STATEMENT UNDER 37 C.F.R. § 3.73(b)

Applica	ants:	Pablo Tamayo, Jill Mesirov, Eric S. Lander and Todd R. Golub		
•		09/525,142 Filed: March 14, 2000		
		Methods and Apparatus for Analyzing Gene Expression Data		
		Whitehead Institute for Biomedical Research, a corporation (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)		
states th	nat it is			
A.	[]	the assignee of the entire right, title and interest in the patent application identified above; or		
B.	[X]	an assignee together with Dana Farber Cancer Institute, Inc. of the entire right, title and interest in the patent application identified above. A separate Statement under 37 CFR § 3.73(b) is being submitted.		
The rigi	ht, title an	nd interest of the above-named assignee in the patent application identified above is established by virtue of:		
A. []	An assig	gnment from the inventors of the patent application identified above. The assignment was recorded in the Patent demark Office at Reel, Frame, or a copy thereof is attached.		
OR				
B. [X]	A chain	of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:		
	1.	From: Pablo Tamayo, Jill Mesirov, and Eric S. Lander To: Whitehead Institute for Biomedical Research The document was recorded in the Patent and Trademark Office at Reel 011431 , Frame 0815-0818 , or a copy thereof is attached.		
	2.	From: Todd R. Golub To: Dana-Farber Cancer Institute, Inc. and Whitehead Institute for Biomedical Research The document was recorded in the Patent and Trademark Office at Reel 011440 , Frame 0460-0463 , or a copy thereof is attached.		
	3.	From: To: The document was recorded in the Patent and Trademark Office at Reel, Frame, or a copy thereof is attached.		
	[] Ado	ditional documents in the chain of title are listed on a supplemental sheet.		
The unc	dersigned	(whose title is supplied below) is authorized to act on behalf of the assignee.		
Date:	Dec	cember 31, 2002		
Name:_	Patricia	Granahan		
Title:	Patent C	Counsel		
Signatu	re: \	attecea Ganahan		



Applicants:

Pablo Tamayo, Jill P. Mesirov, Eric S. Lander and Todd R. Golub

Application No.:

09/525,142

Group:

1631

Filed:

March 14, 2000

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Confirmation No.:

8330

For:

Methods and Apparatus for Analyzing Gene Expression Data

CERTIFICATE OF MAILING

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on <u>1/20/</u>

Annte Dembre

Typed or printed name of person signing certificate

WRITTEN CONSENT OF ASSIGNEE IN CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)(5)

Assistant Commissioner for Patents P.O. Box 2327 Arlington, VA 22202

Sir:

Dana-Farber Cancer Institute, Inc., along with Whitehead Institute for Biomedical Research, are the assignees of the entire right, title and interest in the referenced patent application and Dana-Farber Cancer Institute, Inc. does hereby consent to the addition of Donna K. Slonim as an inventor in the application.

A Statement under 37 C.F.R. § 3.73(b) is being filed concurrently with this Written Consent.

Respectfully submitted,

Pamela D. Ariniello

Patent Counsel

Dana-Farber Cancer Institute, Inc.

Touch O. anylo

Cambridge, MA 02142 Date: 12/9/02



STATEMENT UNDER 37 C.F.R. § 3.73(b)

Applic	ants:	Pablo Tamayo, Jill Mesirov, Eric S. Lander an	d Todd R. Golub	<u> </u>
Applic	ation No.	o.: <u>09/525,142</u>	Filed: March 14, 2000	CENTER
For:		Methods and Apparatus for Analyzing Gene E	xpression Data	
		Dana-Farber Cancer Institute, Inc.	, a corporation	
		(Name of Assignee)	(Type of Assignee, e.g., corporation, partnership, university, government of the control of the	ent agen
states t	hat it is		, a corporation (Type of Assignee, e.g., corporation, partnership, university, government)	290
A.	[]	the assignee of the entire right, title and interes	at in the patent application identified above; or	0
B.	[X]		of Biomedical Research of the entire right, title and estatement under 37 CFR § 3.73(b) is being subm	
The rig	ght, title a	and interest of the above-named assignee in the pa	atent application identified above is established by	virtue of:
A. []		signment from the inventors of the patent applicat ademark Office at Reel, Frame	ion identified above. The assignment was recorde, or a copy thereof is attached.	d in the Paten
OR				
В. [Х] A chair	in of title from the inventor(s) of the patent applic	ation identified above, to the current assignee as s	hown below:
	1.	Institute for Biomedical Research The document was recorded in the Patent and	Trademark Office at, or a copy thereof is attached	
	2.	From: To: To:, or a Reel, or a	Trademark Office at	
	3.	From:To:To:	Trademark Office at	
	[] Ad	dditional documents in the chain of title are listed	d on a supplemental sheet.	
The un	dersigned	d (whose title is supplied below) is authorized to	act on behalf of the assignee.	
Date:_	12	19/02		
Name:	Pamela	a D. Ariniello		
Title:_	Patent (Counsel		
Cianat	,,,	Variable 1 (mills)		



3 2003 3	IN THE UNITED STATES PATENT AND TRADEM.	ARK OF	FICE		덖	
EMARK OF	Declaration for Patent Application				오 오 오	: }
-	[] Supplemental (37 C.F.R. §1.67)	1			N ET	: 1
	As a named inventor, I hereby declare that:				101	2
	My residence, mailing address and citizenship are as stated next to my nan	ne;			27	<u>う</u>
invento	Declaration for Patent Application [] Supplemental (37 C.F.R. §1.67) As a named inventor, I hereby declare that: My residence, mailing address and citizenship are as stated next to my name is believe I am the original, first and sole inventor (if only one name is listed (if plural names are listed in the signatory page(s) commencing at page 2 head and for which a patent is sought on the invention entitled	d) or an or ereof) of th	iginal, f ie subje	irst and ect matt	joint E er which	3
	Methods and Apparatus for Analyzing Gene Expression Data					
the spec	ification of which (check one)					
[]	is attached hereto.					
[X]	was filed on March 14, 2000 as United States Applicati	on				
	Number or PCT International Application No. 09/525,142					_
	and was amended on (if applicable).					
includir	I hereby state that I have reviewed and understand the contents of the above g the claims, as amended by any amendment referred to above.	e-identifie	d specif	fication	,	
§1.56, ifiling dapplicate	I acknowledge the duty to disclose information which is material to patental actual for continuation-in-part applications, material information which be teen the prior application and the national or PCT international filing date into the prior application and the national or PCT international filing date into the prior application.	ecame ava	ilable b	etween	the	
United for pate	I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any tor's certificate, or of any PCT international application which designated a States of America, listed below and have also identified below, by checking at or inventor's certificate, or of any PCT international application having a ion on which priority is claimed:	t least one the box, as	country 1y forei	other t gn appl	han the ication	
	Prior Foreign Application(s)	Priority Not Claimed	С	Certifie opy File S		
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(Number	r) (Country) (Day/Month/Year filed)	. []	[]	[]	

Full name of sole		
or first inventor	Pablo Tamayo	*
Inventor's Signature	KANT	Date 12/65/2002
Residence	195 Binney St., A4523	
	Cambridge, MA 02142	
Citizenship	USA	
-	same as above	
Full name of second join	t	
inventor, if any	Jill P. Mesirov	
Inventor's Signature		Date
Residence	54 Hurd Road	
	Belmont, MA 02478	
	USA	
_	same as above	
inventor, if any	Eric S. Lander	
or first inventor	74 R. Fayer Weather St.	
	Cambridge, MA 02139	
Citizenship	USA	
-	same as above	
Full name of fourth joint		
inventor, if any	Todd R. Golub	
Inventor's Signature		Date
Residence	65 Waldorf Road	
	Newton, MA 02164	
Citizenship	USA	
Mailing Address	same as above	•

Full name of fifth join	t	
inventor, if any	Donna K. Slonim	
Inventor's Signature_		Date
Residence	50 Craigie St., Apt. 27	
Citizenship	USA	
-	same as above	
Full name of sixth join	nt	
inventor, if any		
Inventor's Signature_		Date
Residence		
Citizenship		
-		
Full name of seventh	joint	
Residence		
•		
Full name of eighth jo		
inventor, if any		
Inventor's Signature_		Date
Citizenship		
<u> </u>		
Full name of ninth jo	int	
•		
· · · · · · · · · · · · · · · · · · ·		
Citizenship		
Mailing Address		
		



Declaration for Patent Application

Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

TECH CENTER TOOS I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which

is clair	med and for which a p	patent is sought on	the invention ent	itled	ŕ		•			
	Methods and Appa	aratus for Analyzin	g Gene Expression	n Data		•• : •• : • • • • • • • • • • • • • • •				
the spe	ecification of which (check one)	•							•
[]	is attached hereto.									
[X]	was filed on Mar	ch 14, 2000	as Un	ited States Applica	tion					
	Number or PCT In	iternational Applic	ation No. 09/5	25,142						
	and was amended	on	(if applicable).							
includ	I hereby state that ing the claims, as am			contents of the abo	ve-iden	tified	spec	ificati	on,	
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Full name of sole		
or first inventor	Pablo Tamayo	
Inventor's Signature		Date
Residence	195 Binney St., A4523	
	Cambridge, MA 02142	
Citizenship	USA	
Mailing Address	same as above	
Full name of second jo	oint	
inventor, if any		
Inventor's Signature	-/11/Junt	Date
Residence	1100	
	Belmont, MA 02478	,
	USA	
Mailing Address	same as above	
Full name of third join	t	
inventor, if any	Eric S. Lander	
Inventor's Signature		Date
Residence	74 R. Fayer Weather St.	
	Cambridge, MA 02139	
Citizenship	USA	
Mailing Address	same as above	
Full name of fourth join	int	
inventor, if any	Todd R. Golub	
Inventor's Signature		Date
Residence	65 Waldorf Road	
	Newton, MA 02164	
Citizenship	USA	
Mailing Address	same as above	

		•
•	-3-	
Full name of fifth joint		
•	Donna K. Slonim	
•		Date
· ·	50 Craigie St., Apt. 27	
	Somerville, MA 02143	
Citizenship	USA	
<u>-</u>	same as above	
Full name of sixth joint		
•		
Inventor's Signature		Date
		•
•		
Full name of seventh jo	int	
•		
-		
Citizenship		
•		
Full name of eighth join	nt	
-		
		Date
Full name of ninth join		
_		
		Date
-		
•		



Arr	Declaration for Patent Application					
	[] Supplemental (37 C.F.R. §1.67)				CEN	
As a	a named inventor, I hereby declare that:					
Му	residence, mailing address and citizenship are as stated next to my name;				160	
I be inventor (if p is claimed an	Declaration for Patent Application [] Supplemental (37 C.F.R. §1.67) a named inventor, I hereby declare that: residence, mailing address and citizenship are as stated next to my name; clieve I am the original, first and sole inventor (if only one name is listed) or an olural names are listed in the signatory page(s) commencing at page 2 hereof) of the downwhich a patent is sought on the invention entitled	original f the sul	, first oject r	and jo natter	0663/0	
Met	thods and Apparatus for Analyzing Gene Expression Data					
the specificar	tion of which (check one)					
[] is at	ttached hereto.					
[X] was	s filed on March 14, 2000 as United States Application					
Nur	mber or PCT International Application No. 09/525,142					
and	was amended on (if applicable).					
	ereby state that I have reviewed and understand the contents of the above-identified claims, as amended by any amendment referred to above.	fied spe	cifica	tion,		
§1.56, includ	knowledge the duty to disclose information which is material to patentability as ding for continuation-in-part applications, material information which became a f the prior application and the national or PCT international filing date of the co	vailable	betw	een th	R. ie	
or inventor's United States for patent or	ereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign a certificate, or of any PCT international application which designated at least or so of America, listed below and have also identified below, by checking the box, inventor's certificate, or of any PCT international application having a filing daton which priority is claimed:	ne count any foi	ry otł eign a	ier tha applic	in the	
	Prior Foreign Application(s) Priori Not Claim			tified Filed N		
(Number)	(Country) (Day/Month/Year filed)] []	[]	
(Number)	(Country) (Day/Month/Year filed)] []	[]	
(Number)	(Country) (Day/Month/Year filed)] []	[]	

Full name of sole		
	Pablo Tamayo	
	195 Binney St., A4523	
	Cambridge, MA 02142	
Citizenship	USA	
_	same as above	
Full name of second joi	nt	
inventor, if any	Jill P. Mesirov	
Inventor's Signature		Date
Residence	54 Hurd Road	
	Belmont, MA 02478	
Citizenship	USA	
-	same as above	
Full name of third joint	The Landor	
Inventor's Signature	Just Sp. Co	Date
Residence		
Residence	6 1 11 14 02120	
Citizenshin	USA	
	same as above	
Full name of fourth join	nt	
inventor, if any		
-		Date
Residence		
	N MA 02164	
	USA	
Mailing Address		

Full name of fifth join	nt	
•	Donna K. Slonim	
•		
Residence		
	Somerville, MA 02143	
	USA	
	same as above	
Full name of sixth join	int	
inventor, if any		
Inventor's Signature_		Date
Residence		
Citizenship		
Full name of seventh		
inventor, if any		
Inventor's Signature_		Date
Residence		
Citizenship		
Mailing Address		
Full name of eighth j	oint	
inventor, if any		
Inventor's Signature_		Date
Residence		
Citizenship		
Full name of ninth jo	oint	
inventor, if any		
Residence		
Citizenship		
Mailing Address		



JAN 2 7 2003
TECH CENTER 1600/2900 DOCKET NO. 2825,1014-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

[] Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

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invente is clair	I believe I am the c or (if plural names are ned and for which a p	e listed in the signal	le inventor (if only one name is liste ory page(s) commencing at page 2 h he invention entitled	d) or a ercof)	n origi of the	nal, i subje	līrst a ect in	nd jo atter	int which
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[X]	was filed on Mare	ch 14, 2000	as United States Applicat	ion					
	Number or PCT In	nternational Applica	tion No. <u>09/525,142</u>						
	and was amended	on	(if applicable).						
includ	I hereby state that ing the claims, as am	I have reviewed and ended by any amend	l understand the contents of the abordment referred to above.	ve-idei	rtified s	speci	Sicati	on,	
81.56, filing o applica	including for continu date of the prior appli	untion-in-purt anniic	ornation which is material to paten ations, material information which h mal or PCT international filing date	ארתבסטכ	e aveila	ible l	ocluc	en th	R. e
United for par	entor's certificate, or a 1 States of America, 1	of any PCT internat isted below and hav ificate, or of any PC	s under 35 U.S.C. 119 or 365 of any ional application which designated are also identified below, by checking a international application having a	il least Lilie be	ONE CO	unir fore	y oth igh a	er tha pplica	n the ition
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Fall name of sole			
	Pablo Tamayo		
Residence	195 Hinney St., A4523		
	Carabridge, MA 02142		
	USA		
Mailing Address	saute as above		
Full name of second joint			in the culture is the state of a special culture and the state of the
inventor, if any	Jill P. Mesirov		
Residence	54 Hurd Road		
	Belmont, MA 02478	· · · · · · · · · · · · · · · · · · ·	
Citizenship	us <u>/</u>		
•	same as above		
Full name of third joint		#	
inventor, if any	Brie S. Lander		
Inventor's Signature	tari SM-S 2013 Managalin diadinahan diadinahan diadinahan diadinahan diadinahan diadinahan diadinahan diadinah	Date	
	74 R. Payer Weather St.		
400 day 450 g + 62 c r 4000 - 400000000000000000000000000000	Cambridge, MA 02139		
Citizenship	USA		
	same as above		
inventor, if any	Todd R. Golub		
Inventor's Signature		Date	15/13
Residence	65 Walder Road		
	Newton, MA 02164		
Citizenship	USA		
Mailing Address	same as above		·
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full nank of fifth join		
Inventor, if any	Donna K. Slonim	
laventor's Signature_	40.01.41	Date
Residence	50 Crajgie St., Apt. 27	
	Saugrville, MA 02143	<u> </u>
Citizenship	USA	
Mailing Address	same as above	
Full name of sixth joi		
inventor, if any		
Inventor's Signature		Date
Residenco		
Mailing Address		
Full name of seventh		
inventor, it any		Date
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Citizenship		
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inventor, if any		
Inventor's Signature		Date
Residence		
Chizenship		
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Inventor's Signature		Date
Residence	and the state of t	
Citizenship		



(Number)

(Number)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

[] Supplemental (37 C.F.R. §1.67)



As a named inventor, I hereby declare that:

(Country)

(Country)

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled Methods and Apparatus for Analyzing Gene Expression Data the specification of which (check one) [] is attached hereto. was filed on March 14, 2000 as United States Application [X]Number or PCT International Application No. 09/525,142 and was amended on _____ (if applicable). I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application. I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed: Priority Certified Prior Foreign Application(s) Not Copy Filed? Claimed YES NO (Country) (Day/Month/Year filed) (Number)

(Day/Month/Year filed)

(Day/Month/Year filed)

[]

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inventor, if any		
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Full name of eighth join	nt	
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•		
Full name of ninth join		
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